

REMARKS

By this Amendment, claims 1, 9, 10, and 18 have been amended to overcome the rejections set forth in the Office Action. The remaining claims in the application are unchanged.

Applicant would like to thank Examiner Do for the courtesy of granting and conducting the telephone interview of August 28, 2007, with Applicant's associate representative, William A. Blake. During the interview, the rejections of the claims under 35 U.S.C. 101 as being directed to non-statutory subject matter were discussed. Regarding method claims 1 and 9, Mr. Blake proposed adding the step of accessing images to be converted from an external source of gray scale images and specifying that the recited method is directed to a method for converting gray scale images to binary images. Examiner Do confirmed that these changes would satisfy the requirements of 35 U.S.C 101. Regarding system claims 10 and 18, Examiner Do suggested that the program also be recited as being embodied on a computer readable medium or the like. In addition, Examiner Do confirmed that his initial search did not uncover any prior art that would render the claims unpatentable, though he also indicated that a follow up search would be conducted.

The amendments to the independent claims 1, 9, 10, and 18 have been made in accordance with the discussions during the telephone interview. With specific reference to the amendments, method claims 1 and 9 have been amended to recite that the images are retrieved from an external source of images. This change satisfies one of the suggested examples set forth in the Office Action that the claimed process represents activity transformed from outside the computer. The claims have also been amended to specify that the recited method is a method for converting gray scale images to binary images, though the key to the method is the threshold

determining technique. Clearly, such an image conversion technique has many practical applications as is discussed, for example, in the Background section of the application.

Claims 10 and 18 have also been amended to specify the external source of gray scale images. In addition, the program is recited as being embodied in the operating memory, which is readable by the processor to execute the steps of the program to convert the gray scale images to binary images in accordance with the novel process of the claimed invention. As with claims 1 and 9, these changes clearly establish the claimed invention as being statutory and having a practical application under 35 U.S.C. 101.

Claims 10 and 18 have also been amended to correct a typographical error by deleting the duplicate phrase "for converting."

In view of the foregoing, Applicant respectfully submits that the claims as amended are allowable and that the application is now in condition for allowance. Accordingly, favorable reconsideration of the application is respectfully requested.

Respectfully submitted,

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Date

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